



IFW

PATENT
Attorney Docket 056291-5174

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Paul Richard Gellert et al.**) Confirmation No. **3886**
)
Application No. **10/505,231**) Group Art Unit: **1614**
)
Filed: **August 19, 2004**) Examiner: **James D. Anderson**
)
For: **Pharmaceutical Formulation of Iressa**) Date: May 29, 2007
Comprising a Water-Soluble Cellulose)
Derivative)

U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

- Transmitted herewith is an Amendment and Response Under 37 C.F.R. 1.111 in response to the non-final Office Action dated February 28, 2007.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. This response is being timely filed under the next business day rule on Tuesday, May 29, 2007 as the due date for responding fell on a Federal holiday (Monday, May 28, 2007). Applicants do not believe an extension of time is required. However, if Applications have inadvertently overlooked the need for an extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	28	minus	31	0	\$50.00 each=	0.00
Independent Claims	5	minus	5	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim						\$360.00
						Sub-total =
						0.00
Reduction by ½ for filing by a small entity						0.00
						Total Fee =
						\$0.00

4. Additional Papers Submitted:

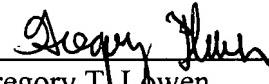
(i) Copy of page 4 of NDA 21-437/S-002, Inspra™, eplerenone tablets

5. Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the

Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **May 29, 2007**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.111

In response to the non-final Office Action dated February 28, 2007, the period for responding to which extends through May 28, 2007, Applicants request reconsideration of the subject application in light of the following amendments and remarks. Because May 28, 2007 was a Federal holiday, this response is being timely filed under the next business day rule on May 29, 2007.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.